

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

MARK LUIS ANTONIO PADILLA,

Plaintiff,

ORDER

1:23-cv-11106-GRJ

v.

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

---

GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the Stipulation, filed by the parties. (Docket No. 22.) The parties stipulate and agree that the Commissioner's decision should be reversed, and the case should be remanded to the Commissioner of Social Security under the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings. Upon remand the Commissioner will offer the plaintiff the opportunity for a new hearing and issue a new decision. Further, upon remand the agency will instruct the administrative law judge to further evaluate all medical and non-medical evidence, including opinion evidence in accordance with 20 C.F.R. § 416.920c, and further evaluate Plaintiff's residual functional capacity considering the effects of all Plaintiff's severe and non-severe impairments

in accordance with 20 C.F.R. § 416.945 and Social Security Ruling (SSR) 96-8p.

Accordingly, the Stipulation is approved. This case is REVERSED and REMANDED to the Commissioner of Social Security under the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings. The Clerk is directed to terminate all pending motions, enter final judgment, and then close the file.

Dated: August 9, 2024

SO ORDERED:

s/Gary R. Jones  
GARY R. JONES  
United States Magistrate Judge